

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCT LIABILITY
LITIGATION

)
) MDL No. 02419
) Docket No. 1:13-md-2419-RWZ
)
)

_____)
)
) This document relates to:)
)

All of the cases against the Box Hill Defendants¹)

PLAINTIFFS' PROPOSED BELLWETHER CASE SELECTION

MDL 2419 Plaintiffs with remaining personal injury tort and wrongful death claims against the Box Hill Defendants group, by and through their respective undersigned counsel, Law Offices of Peter G. Angelos, P.C., and Cohen, Placitella & Roth, P.C., hereby propose the following cases below as potential bellwether case candidates in accordance with the Court's Third Amended Order Setting Discovery Deadlines.²

It should be noted that the language of the Third Amended Order Setting Discovery Deadlines requires "[e]ach side to select 2 potential bellwether trial death cases and 2 potential bellwether trial living cases and case specific discovery will begin for those cases."

Accordingly, the Plaintiffs propose the following cases:

Potential Bellwether Trial Death Cases

<u>Case Name</u>	<u>Docket Number</u>
Handy v. Box Hill Surgery Center, LLC, et al.	No: 1:14-cv-14019-RWZ
Kashi v. Box Hill Surgery Center, LLC, et al.	No: 1:14-cv-14026-RWZ

¹ This pleading applies to the following cases: Armetta v. Box Hill Surgery Center, LLC, et al. No. 1:14-cv-14022-RWZ; Bowman v. Box Hill Surgery Center, LLC, et al. No. 1:14-cv-14028-RWZ; Davis v. Box Hill Surgery Center, LLC, et al. No. 1:14-cv-14033-RWZ; Dreisch v. Box Hill Surgery Center, LLC, et al. No. 1:14-cv-14029-RWZ; Farthing v. Box Hill Surgery Center, LLC, et al. No. 1:14-cv-14036-RWZ; Kashi v. Box Hill Surgery Center, LLC, et al. No. 1:14-cv-14026-RWZ; Torbeck v. Box Hill Surgery Center, LLC, et al. No. 1:14-cv-14023-RWZ; Handy v. Box Hill Surgery Center, LLC, et al. No. 1:14-cv-14019-RWZ

² Dkt 3301

Potential Bellwether Trial Living Cases

<u>Case Name</u>	<u>Docket Number</u>
Farthing v. Box Hill Surgery Center, LLC, et al.	No: 1:14-cv-14036-RWZ
Dreisch v. Box Hill Surgery Center, LLC, et al.	No: 1:14-cv-14029-RWZ

Respectfully submitted,

/s/ Patricia J. Kasputys

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*Attorneys for Plaintiff Handy***CERTIFICATE OF SERVICE**

I, Patricia J. Kasputys, hereby certify that a copy of the foregoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system and Notice of Electronic filing (NEF), including the attorneys representing the defendants in the above-referenced individual cases, and will be sent to these parties by operation of the CM/ECF system.

Dated: March 17, 2017

/s/ Patricia J. Kasputys

Patricia J. Kasputys